

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID EARL GOSS, SR.,	)	
Plaintiff	)	
	)	
vs.	)	Civil Action No. 04-1845
	)	Judge Arthur J. Schwab/
SGT. CHRIS LOWANSE; C/O LARRY	)	Magistrate Judge Amy Reynolds Hay
BURAK,	)	
Defendants	)	

**ORDER OF COURT**

AND NOW, this 29<sup>th</sup> day of December, 2005, after the plaintiff, David Earl Goss, Sr., filed an action in the above-captioned case, and after a Motion for Summary Judgment was submitted by defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendants' Motion for Summary Judgment is GRANTED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

s/Arthur J. Schwab  
ARTHUR J. SCHWAB  
United States District Judge

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BURAK,	)	
Defendants	)	

**ORDER OF COURT**

AND NOW, this 29<sup>th</sup> day of December, 2005,

IT IS FURTHER ORDERED that final judgment of this Court is entered pursuant  
to Rule 58 of the Federal Rules of Civil Procedure.

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s/Arthur J. Schwab  
ARTHUR J. SCHWAB  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

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